

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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ALEJANDRO LOPEZ,

Plaintiff,

VS.

GOLDEN NUGGET CASINO,

Defendant.

2:17-cv-1712-RFB-VCF

ORDER

Before the Court is Plaintiff's Motion to Add Interested Party to Service List. (ECF No. 6).

Plaintiff seeks to add another inmate, who has been helping him in this litigation, to the service list.

Plaintiff's request for another inmate to be added to the service list is denied since this other inmate is neither a party to the action nor his counsel.

On July 28, 2017, the court screened Plaintiff's motion to proceed *in forma pauperis* and dismissed certain claims with leave to amend by August 28, 2017. (ECF No. 3). On August 8, 2017, Plaintiff filed a notice stating that he will not be amending his complaint and he would like to proceed on the claims allowed by this court. (ECF No. 5).

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Add Interested Party to Service List (ECF No. 6) is DENIED.

IT IS FURTHER ORDERED that the Clerk of Court issue summons to the Defendant named in the complaint, deliver the same to the U.S. Marshal for service, and send blank copies of the USM-285 forms to the Plaintiff.

IT IS FURTHER ORDERED that the plaintiff has twenty (20) days to furnish to the U.S. Marshal the required USM-285 forms. Within twenty (20) days after plaintiff receives copies of the completed USM-285 forms from the U.S. Marshal, plaintiff must file a notice with the court identifying if defendant was served. If the plaintiff wishes to have the U.S. Marshal attempt service again on the unserved defendant, then a motion must be filed with the court identifying the unserved defendant, specifying a more detailed name and address, and indicating whether some other manner of service should be used. Pursuant to the Federal Rules of Civil Procedure Rule 4(m), service must be accomplished within one hundred twenty (90) days from the date that the complaint was filed.

9 IT IS FURTHER ORDERED that from this point forward, plaintiff will serve upon defendants, or
10 their attorney if they have retained one, a copy of every pleading, motion, or other document submitted
11 for consideration by the court. Plaintiff shall include with the original paper submitted for filing a
12 certificate stating the date that a true and correct copy of the document was mailed to the defendants or
13 their counsel. The court may disregard any paper from Plaintiff which fails to include a certificate of
14 service.

NOTICE

Pursuant to Local Rules IB 3-1 and IB 3-2, a party may object to orders and reports and recommendations issued by the magistrate judge. Objections must be in writing and filed with the Clerk of the Court within fourteen days. LR IB 3-1, 3-2. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file objections within the specified time and (2) failure to properly address and brief the objectionable issues waives the right to appeal the District Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

1 Pursuant to Local Special Rule 2-2, the Plaintiff must immediately file written notification with
2 the court of any change of address. The notification must include proof of service upon each opposing
3 party of the party's attorney. Failure to comply with this Rule may result in dismissal of the action. *See*
4 LSR 2-2.

5 DATED this 17th day of October, 2017.

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7 CAM FERENBACH
8 UNITED STATES MAGISTRATE JUDGE
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